

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

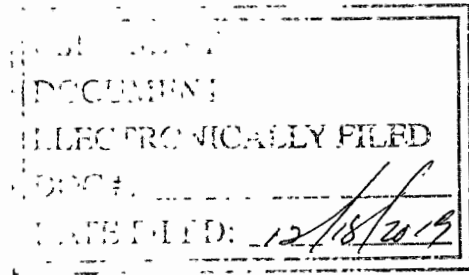
-----X  
RAFAEL ANTONIO GARAVITO-GARCIA,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.  
-----X



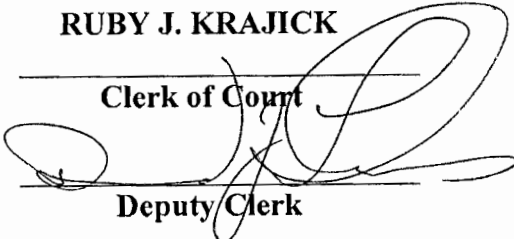
17 **CIVIL** 5798 (JSR) (SLC)

12 **CR.** 839-1 (JSR)

**JUDGMENT**

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated December 16, 2019, the Report and Recommendation is adopted; and the reasons stated therein, the petition is dismissed with prejudice; in addition, because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue; moreover, the Court certifies that any appeal from this Order would not be taken in good faith, as petitioner's claim lacks any arguable basis in law or fact, and therefore permission to proceed in forma pauperis is also denied.

**DATED:** New York, New York  
December 18, 2019

**RUBY J. KRAJICK**  
\_\_\_\_\_  
**Clerk of Court**  
BY:   
\_\_\_\_\_  
**Deputy Clerk**

THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON 12/18/2019